Justification for proposed amendments to clause 4.2A of ELEP 2012

RLEP 1987	ELEP 2012	Proposed Amendment	Reason
<i>holding</i> means the	1987 holding means	1987 holding means all	To avoid confusion in
total area of any	land that:	adjoining land, even if	interpreting the clause.
adjoining or adjacent	(a) was a holding on	separated by a road or	The definition requires
land held in the same	11 December	railway that has been	the reading of another
ownership on 11	1987, and	held by the same owner	definition (i.e.
December 1987.	(b) is still held by the	since 11 December 1987.	"holding") in order to
	same owner at the	_	interpret it.
	time the	Note. The owner in	T I
	application for	whose ownership all the	The suggested re-
	development	land is at the time the	wording is more
	consent referred	application is lodged need	consistent with the
	to in subclause (2)	not be the same person	wording in RLEP 1987.
	is lodged.	as the owner in whose	
		ownership all the land	
		was on the stated date.	
existing parcel means	existing holding	existing parcel means	To avoid confusion in
the total area of a	means land that:	land that:	interpreting the clause.
parcel of adjoining or	(a) was a holding on 9	(a) was a parcel on 9	Many land owners have
adjacent land:	August 1963, and	August 1963, and	correspondence from
(a) that was owned by	(b) is a holding at the	(b) is a parcel at the time	Council informaing
the same person	time the	the application for	them they have a
or persons on 9	application for	development consent	dwelling entitlement
August 1963, and	development	referred to in	because the land is an
(b) that is still owned	consent referred	subclause (2) is	exiting parcel. Changing
by the same	to in subclause (2)	lodged,	the definition to existing
person or persons	is lodged,	whether or not there has	holding has caused
whether or not	whether or not there	been a change in the	confusion.
being the person	has been a change in	ownership of the parcel	
or persons	the ownership of the	since 9 August 1963, and	
referred to in	holding since 9 August	includes any other land	
paragraph (a),	1963, and includes	adjoining that land	
and includes any such	any other land	acquired by the owner or	
parcel of land to	adjoining that land	owners since 9 August	
which additional	acquired by the owner	1963.	
adjoining or adjacent	or owners since 9		
land has been added	August 1963.		
since 9 August 1963.	August 1903.		
	<i>holding</i> means all	Delete.	No longer requried if
	adjoining land, even if		changes above are
	separated by a road or		accepted.
	railway, held by the		
	same person or		
	persons.		